

**U.S. House of Representatives**  
**Committee on the Judiciary**  
Washington, DC 20515-6216  
One Hundred Ninth Congress

February 10, 2005

Mr. Patrick J. Fitzgerald  
United States Attorney  
US Attorney's Office  
219 S. Dearborn St.  
Suite 5000  
Chicago, IL 60656

Dear Mr. Fitzgerald:

We write to ask that you investigate the leak of a classified Central Intelligence Agency memo containing the identity of undercover agent Valerie Plame to James D. Guckert, a member of the White House press corps. It appears that the White House was so focused on smearing the reputation of Ambassador Joseph Wilson, that it knowingly leaked his wife's identity to a Republican activist posing as a journalist.

James D. Guckert, who operated under the false name "Jeff Gannon," and may have engaged in criminal activity, had been attending press events at the White House for up to three years. Mr. Guckert reportedly received an internal and classified CIA memo that revealed the identity of Ambassador Joseph Wilson's wife. Because of the extremely sensitive nature of this leak, and its relation to the investigation you are conducting, we believe that you as special counsel are the most appropriate person to conduct the inquiry.

Under Department of Justice regulations, a special counsel should investigate when (1) a "criminal investigation of a person or matter is warranted," (2) the investigation "by a United States Attorney Office or litigating Division of the Department of Justice would present a conflict of interest for the Department," and (3) "it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter."<sup>1</sup> In the present case all three factors have been met.

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<sup>1</sup>28 C.F.R. 600.1.

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As has been long discussed, revealing the identity of an undercover agent violates myriad laws. Whoever in the Administration gave Mr. Guckert the memo risked Ms. Plame's very life and must be punished to the full extent of the law.

There is a clear conflict of interest in the Administration investigating Mr. Guckert's role in this crime. Mr. Guckert and the White House press operation work together closely to forward the President's policies.

First, Mr. Guckert would not be considered a bona fide journalist by his peers in the press corps, as most of his claims to legitimacy have already been discredited. Access to the President and his press corps is highly competitive, and many seasoned journalists have not had the honor of attending the events or enjoying the access Mr. Guckert has. That a person of these dubious qualifications was given such close contact to the President, perhaps in violation of standard security procedures, demonstrates the Administration's affinity for and bias towards Mr. Guckert.

Second, Mr. Guckert's questions clearly reiterated the White House's policy, and simply asked for concurrence. Finally, Mr. Guckert's "articles," published by a news front for GOPUSA, track White House talking points word for word.

Clearly, Mr. Guckert returned the White House's favor by advancing the President's policies with gusto. With such a close relationship between Mr. Guckert and the White House, the conflict of an administration-led investigation is all too apparent.

Finally, the public interest has been thwarted far too long over the leak of Ms. Plame's identity. It has been over a year and a half since Robert Novak published Plame's identity and we are no closer to finding who in the Administration illegally leaked her status as an undercover agent. Having a special counsel immediately follow up this lead is necessary to ensure that those who risk their lives for our country to gather intelligence are fully protected.

We look forward to hearing whether you will be following up on this new information, or if you have, what progress you have made.

Sincerely,

  
Louise Slaughter  
Ranking Member, Committee on Rules

  
John Conyers, Jr.  
Ranking Member, Committee on the Judiciary